

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO**

**IN RE:  
NAYDA M RIVERA SOTO  
DEBTOR**

**CASE NUMBER: 09-10635 EAG  
CHAPTER 13**

**DEBTOR'S REQUEST FOR ENTRY OF ORDER AUTHORIZING DEBTOR  
TO USE INCOME TAX REFUND FOR THE YEARS 2009 TO 2013 INCLUSIVE**

**TO THE HONORABLE COURT:**

**COMES NOW DEBTOR**, through the undersigned counsel, who respectfully states and prays as follows:

1. Debtor filed the instant petition under Chapter 13 of the Bankruptcy Code on December 11, 2009.
2. Debtor's post confirmation modified plan dated February 9, 2011 was confirmed by order dated March 18, 2011 (**d.e. 36**). The confirmed plan provides for the submission of post petition income tax refunds to the Chapter 13 Trustee (Trustee) for the funding of the plan or in the alternative for debtors to request authorization for the use of the tax refunds as necessary.
3. Debtor received income tax refunds for the years 2009 to 2013 totaling \$3,904.00. Copy of these Income tax forms were electronically provided to the Chapter 13 Trustee via the internet program for upload of documents.
4. Debtor was forced to use the refunds to cover household expenses, for instance, to cover the repairs of the household vehicle and repair or replace household appliances. Copy of invoices were submitted to the Trustee evidencing the costs paid for the expenses.
5. Debtor requests from this Honorable Court to enter an order authorizing her the use of the income tax refunds for the years 2009 to 2013.

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6. Debtor's last payment under the confirmed plan was due on December 2014. Debtor has made all payments due under the plan.

**WHEREFORE**, debtors respectfully pray from this Honorable Court to enter an order granting her authorization to have used the income tax refunds corresponding to the year 2009 to 2013 to cover household expenses.

In San Juan, Puerto Rico, this June 25, 2015.

**Notice to creditors and parties in interest**

**Within fourteen (14) days after service as evidenced by the certification, and an additional three (3) days pursuant to Fed. R. Bank. P. 9006(f) if your were served by mail, any party against whom this paper has been served, or any other party to the action who objects to the relief sought herein, shall serve and file an objection or other appropriate response to this paper with the Clerk's office of the U.S. Bankruptcy Court for the District of Puerto Rico. If no objection or other response is filed within the time allowed herein, the paper will be deemed unopposed and may be granted unless: (I) the requested relief is forbidden by law; (ii) the requested relief is against public policy; or (iii) in the opinion of the Court, the interest of justice requires otherwise.**

**CERTIFICATE OF SERVICE:** I hereby certify that on June 25, 2015 I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to all registered parties and I further certify that I have otherwise remitted by first class United States Postal Service the document to all creditors not otherwise represented or registered per attached master list.

*s/ Madeline Soto Pacheco*  
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0104-2

Case 09-10635-EAG13

District of Puerto Rico

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Thu Jun 18 16:23:05 AST 2015

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The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

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